

REMARKS

At the outset, Applicants request an interview to advance prosecution.

In the Office Action, the Examiner rejected claim 1 and 5-23 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,651,105 to Bhagwat et al. (Bhagwat) in view of U.S. Patent Application Publication No. 2007/0127495 to Gregorio et al. (Gregorio); rejected claims 2-4 under 35 U.S.C. § 103(a) as unpatentable over Bhagwat, Gregorio, and U.S. Patent Application Publication No. 2003/0225892 to Takusagawa et al. (Takusagawa); rejected claims 41 and 43-54 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,018,657 to Kennedy III, et al. (Kennedy) in view of Gregorio; and rejected claim 42 under 35 U.S.C. § 103(a) as unpatentable over Kennedy, Gregorio, and Takusagawa.

By this Amendment, Applicants amend claims 1, 2, 41, 45, and 49-54 to more clearly define the features of those claims and amend claim 21 to improve form.

Claims 1-13, 14-23, and 41-54 are currently pending.

The Examiner rejected claim 1 and 5-23 under 35 U.S.C. § 103(a) as unpatentable over Bhagwat in view of Gregorio. Applicants respectfully traverse this rejection.

Claim 1 defines a method, which includes the following features:

 sending a message including information for identifying a first network access entity from a mobile entity to a second network access entity, wherein a global address of the first network access entity is not known to the mobile entity; and,

 handing over a connection of the mobile entity from the first network access entity to the second network access entity,

 wherein the message is configured to enable the second network access entity to direct traffic to the first network access entity.

Bhagwat discloses networking support for mobile devices using serial communications. Bhagwat teaches that a mobile device roams securely and seamlessly from one access point to another access point (Bhagwat, Abstract; col. 3, line 29, to col. 4, line 4). However, the Examiner acknowledges that Bhagwat fails to disclose “wherein a global address of the first network access entity is not known to the mobile entity.” To cure that gap, the Examiner relies on Gregorio at paragraph 0077.

However, Gregorio does not disclose what the Examiner alleges. Instead, Gregorio discloses that the IP address is securely assigned to the user element (UE). Conspicuously absent from Gregorio is any clue regarding a roaming user element, much less “wherein a global address of the first network access entity is not known to the mobile entity,” as recited in claim 1.

To illustrate the clear gap in Gregorio, Applicants reproduce Gregorio FIG. 3 and paragraph 0077, which is as follows:

In this scenario, which is illustrated in FIG. 3, a user (3) is accessing home or external services through a web browser and, hence, when an incoming IP connection is received from the user in the Multinational Mobile Network Operator (MN-MNO) Global Service Network (1), said Global Service Network checks whether the user is trusted, that is, firstly if said user belongs to the federation, namely to said Multinational Mobile Network Operator (MN-MNO), and secondly if the user had been previously authenticated and still has an active session running. This checking and validation are preferably carried out from a user IP address of said incoming IP connection, and transparently to the user. It is assumed that an IP address is securely assigned to the UE and that an operator's internal packet switched network is also secure so that assigned IP addresses are not possible to spoof. This allows the use of a user's IP address as a user's pseudo-identity during the time such user is connected.

Gregorio, paragraph 0077.

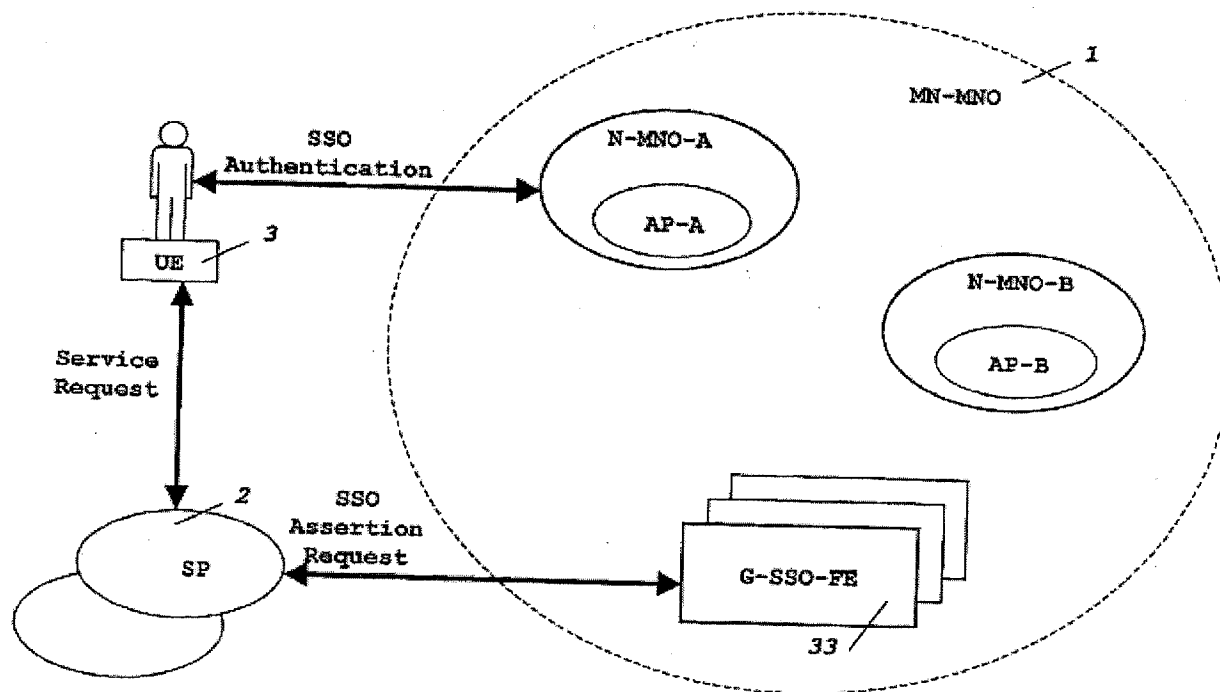


FIG. -3-

In view of the foregoing, neither Bhagwat nor Gregorio discloses or suggests at least the following feature of claim 1: "wherein a global address of the first network access entity is not known to the mobile entity." Claim 1 is thus allowable over Bhagwat and Gregorio, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 1, as well as claims 2-13, at least by reason of their dependency, should be withdrawn.

Independent claim 14, although of different scope, includes the above noted feature of claim 1. For at least the reasons noted above, claim 14 is allowable over Bhagwat and Gregorio, whether taken alone or in combination, and the rejection under

35 U.S.C. § 103(a) of claim 14, as well as claims 15-23, at least by reason of their dependency, should be withdrawn.

The Examiner rejected claims 2-4 under 35 U.S.C. § 103(a) as unpatentable over Bhagwat, Gregorio, and Takusagawa. Applicants respectfully traverse this rejection.

Claims 2-4 depend from claim 1 and include all the features recited therein including, among other things, “wherein a global address of the first network access entity is not known to the mobile entity.” As noted above, neither Bhagwat nor Gregorio discloses or suggest this feature. Moreover, Takusagawa, although it discloses handovers, fails to cure the noted deficiencies of Bhagwat and Gregorio. Therefore, claims 2-4 are allowable over Bhagwat, Gregorio, and Takusagawa, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claims 2-4 should be withdrawn.

The Examiner rejected claims 41 and 43-54 under 35 U.S.C. § 103(a) as unpatentable over Kennedy in view of Gregorio. Applicants respectfully traverse this rejection.

Claim 41 defines an apparatus, which includes the following features:

a processor, wherein the processor is configured to process data related to sending message including information to identify a first network access entity to a second network access entity, wherein a connection of the apparatus is handed over from the first network access entity to the second network access entity, the message which enables the second network access entity to direct traffic to the first network access entity, wherein a global address of the first network access entity is not known to the apparatus.

The Examiner acknowledges that Kennedy fails to disclose “wherein a global address of the first network access entity is not known to the apparatus.” To cure that

gap in Kennedy, the Examiner relies on Gregorio. However, as noted above, Gregorio also lacks this feature. Therefore, claim 41 is allowable over Kennedy and Gregorio, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 41, as well as claims 43-44, at least by reason of their dependency, should be withdrawn.

Independent claims 45 and 49-54, although of different scope, include some of the features noted above with respect to claim 41. For at least the reasons noted above, claims 45 and 49-54 are allowable over Kennedy and Gregorio, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claims 45 and 49-54, as well as claims 46-48, at least by reason of their dependency, should be withdrawn.

The Examiner rejected claim 42 under 35 U.S.C. § 103(a) as unpatentable over Kennedy, Gregorio, and Takusagawa. Applicants respectfully traverse this rejection.

Claim 42 depends from claim 41 and include all the features recited therein including, among other things, "wherein a global address of the first network access entity is not known to the apparatus." As noted above, neither Kennedy, Gregorio, nor Takusagawa discloses or suggests this noted feature. Therefore, claim 42 is allowable over Kennedy, Gregorio, and Takusagawa , whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 42 should be withdrawn.

Moreover, M.P.E.P. 2143.01 states "***[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.***" *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984), Emphasis Added. The

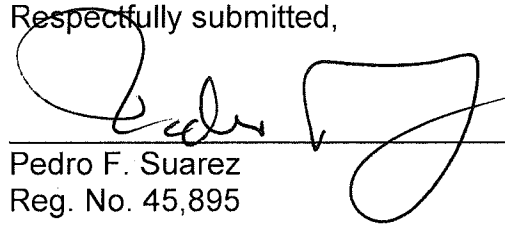
intended purpose of Gregorio is to provide single sign-on (SSO) to allow users to access different services without explicitly authenticating the user for the different services. (Gregorio, paragraphs 0016, 0001, and 0002). However, modifying Gregorio, as proposed by the Examiner, would make Gregorio inoperative (i.e., unsatisfactory) for its intended SSO purpose as such features would not be necessary (or even possible) in Kennedy and Bhagwat, much less in implementations including roaming between multiple networks in which some network domains do not grant access to entities of other network domains (e.g., which may cause a mobile user element to not know the global address of an access point). For this additional reasons, the rejections of claims 1-13, 14-23, and 41-54 under 35 U.S.C. § 103(a) should be withdrawn:

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

No fee is believed to be due, however the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account 50-0311, Reference No. 39700-601001US/NC39894US. If there are any questions regarding reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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